HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition no. 1095(S/S) 2001
(Old no. 27333/2000)

Rajan Singh Raghuvanshi S/o late Om Prakash Singh,
Resident of House No. D-5, Ward No. 18/57,
Sugar Factory Bajpur Near Shiv Temple,
District-Udham Singh Nagar. ----Petitioner.

Versus

1. Dy. Inspector General of Police,
   Moradabad, U.P.,
2. Senior Superintendent of Police,
   Moradabad, U.P.,
3. R.I., Moradabad, U.P. ----Respondents.

Mr. B.S. Parihar, learned counsel for the petitioner,
Learned Standing Counsel for the respondents/State.

Hon'ble M.M. Ghildiyal, J.

Heard Sri B.S. Parihar, learned counsel for the petitioner and learned Standing Counsel for the State/ respondents.

The present writ petition has been filed by the petitioner for the following reliefs:-

(a) Issue a writ, order or direction in the nature of mandamus directing the respondent to continue the petitioner's in police constable training,

(b) Issue any other suitable writ, order or direction which this Hon'ble Court may deem fit and proper under the circumstances of the case,

(c) Allow the aforesaid writ petition with cost in favour of the petitioner.

The petitioner was selected for the post of Police Constable in the year 1998 and was sent for training. However, the petitioner was not permitted to complete the training by the respondents. Aggrieved with the action of the respondents, the petitioner preferred the present writ petition.

A counter affidavit has been filed by the respondents. In para-7 of the counter affidavit it is stated by the respondents that in an affidavit filed by the petitioner he has given false information and has concealed the real facts. In the verification of the petitioner, a criminal case no. 1342/1998 u/s 420 & 464 I.P.C. was found having been registered and pending against him for which chargesheet no. 10 was submitted on 26.11.1999 against the petitioner before the II Addl. CJM, Moradabad. The petitioner, while making application has not disclosed this fact.

Keeping in view of the principal laid down by Hon'ble the Apex Court in the case of Kendriya Vidhyalaya Sangathan and ors. vs. Ram Ratan Yadav reported in 2003 (3) Supreme Court Cases, page 437, the writ petition lacks merit and as such is dismissed. No order as to costs.

(M.M. Ghildiyal, J.)

August 3, 2006:
NCM: